

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IRAIDA M. GUZMAN,

Plaintiff

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civil No. 08-2225 (ADC)

OPINION AND ORDER

On May 18, 2009, Magistrate Judge Marcos E. López, filed a Report and Recommendation ("R & R") wherein the Court is recommended to dismiss this action, without prejudice, for failure to comply with procedural requirements (to serve and file an appeal brief) and failure to retain counsel or comply with court orders. In the alternative it is recommended that plaintiff be allowed to re-submit summons.

No objections were timely filed to the R & R. The court notes that on June 2, 2009, after expiration of the time to object, plaintiff filed, *Pro se*, a letter requesting an additional opportunity to serve summons. Considering it is in the best interests of justice, the Court, having fully examined the record and having considered the R & R, now determines as follows:

- a) The R & R is adopted. Therefore, plaintiff is granted an opportunity to serve summons and file her brief.
- b) Attorney Salvador Medina is appointed, *Pro bono*, to represent petitioner herein.
- c) Counsel may charge and will be reimbursed for expenses incurred pursuant to the United States District Court Guidelines Governing Reimbursement of Expenses Incurred by Court Appointed Counsel in *Pro Bono* cases.

SO ORDERED.

At San Juan, Puerto Rico, on this 10th day of November, 2009.

S/AIDA M. DELGADO-COLON
United States District Judge